

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HYDRO-PHOTON, INC.,
a Maine Corporation

Plaintiff,

v.

Civil Action No. 05-11240 GAO

MERIDIAN DESIGN, INC., a California
Corporation

Defendant.

**PLAINTIFF HYDRO-PHOTON, INC.'S CROSS MOTION FOR PARTIAL SUMMARY
JUDGMENT OF INFRINGEMENT**

Pursuant to Fed. R. Civ. P. 56 and Local Rule 56.1, Plaintiff, Hydro-Photon, Inc. ("HPI"), hereby moves for partial summary judgment that Defendant, Meridian Design, Inc.'s AquaStar and AquaStar Plus products literally infringe at least claim 7 of the patent-in-suit.

For the reasons set forth in Plaintiff Hydro-Photon, Inc.'s Memorandum in Opposition To Defendant Meridian Design, Inc.'s Motion For Summary Judgment Of Noninfringement, And In Support of Plaintiff's Cross Motion For Partial Summary Judgment Of Infringement and the Declarations and various other documents referenced therein, summary judgment of infringement of claim 7 is proper.

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

We certify that the undersigned counsel for Plaintiff Hydro-Photon conferred with counsel for defendant Meridian Design, Inc. regarding the issues raised in this Cross Motion on November 9 and 14, 2005 and the parties were unable to resolve their differences.

Hydro-Photon, Inc., Inc.
By its attorneys,

Dated: 11/28/05


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 28th day of November, 2005 a copy of the foregoing document is being served by First Class mail upon the following counsel for the defendant:

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